

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

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U.S.C.A. #

U.S.D.C. #

JUDGE:

DATE:

08-cv-6067

KMW

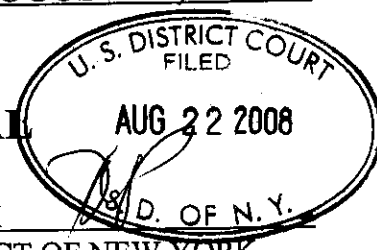
AUGUST 22, 2008

DiModica

-v-

Killian

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME):

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

Balance of file in USCA on Transfer Order.

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 22ND Day of August, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DiModica
 -v-
Killian

U.S.C.A. # _____
 U.S.D.C. # 08-cv-6067
 JUDGE: KMW
 DATE: AUGUST 22, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through _____, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
	<i>Balance of file already in VSEA</i>
	<i>on Transfer Order.</i>

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 22ND Day of August In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 233RD year.

J. Michael McMahon, Clerk

By _____

[Signature]
 Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE, RELATED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-06067-KMW
Internal Use Only

DiModica v. Killian
Assigned to: Judge Kimba M. Wood
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 07/02/2008
Date Terminated: 08/11/2008
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
07/02/2008	1	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2241. Document filed by Vincent DiModica.(laq) (Entered: 07/24/2008)
07/02/2008	2	MEMORANDUM OF LAW in Support re: 1 Petition for Writ of Habeas Corpus. Document filed by Vincent DiModica. (laq) (Entered: 07/24/2008)
07/02/2008		Magistrate Judge Henry B. Pitman is so designated. (laq) (Entered: 07/24/2008)
07/02/2008	3	TRANSFER ORDER (U.S.C.A.),...transfers this matter to the U.S.C.A. for the Third Circuit.... Sent original file along certified copy of docket entries and transfer order. Mailed via FEDEX # 8655 7112 4587. (Signed by Judge Kimba M. Wood on 7/2/08) (laq) (Entered: 08/21/2008)
07/30/2008	4	NOTICE OF APPEAL from 3 Transfer Order U.S.C.A. Document filed by Vincent DiModica. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 08/22/2008)
07/30/2008		Appeal Remark as to 4 Notice of Appeal filed by Vincent DiModica. \$455.00 APPEAL FEE DUE. COA DENIED 7/2/08. (tp) (Entered: 08/22/2008)
08/21/2008		This case was originally transferred to the United States Court of Appeals- 2nd circuit in error - resent to the United States Court of Appeals for the 3rd Circuit. (laq) (Entered: 08/21/2008)
08/22/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 4 Notice of Appeal. (tp) (Entered: 08/22/2008)
08/22/2008		Transmission of Notice of Appeal to the District Judge re: 4 Notice of Appeal. (tp) (Entered: 08/22/2008)